

THE HONORABLE RICHARD A. JONES  
THE HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

C.O., a minor, by and through her guardian  
Alison O'Neil, individually and on behalf of all  
others similarly situated,

Plaintiffs,

vs.

AMAZON.COM, INC., a Delaware  
corporation, and A2Z DEVELOPMENT  
CENTER, INC., a Delaware corporation,

Defendants.

Case No.: 2:19-cv-910-RAJ-MLP

**JOINT STIPULATION BY THE  
PARTIES ON BRIEFING FOR  
PLAINTIFFS' AND DEFENDANTS'  
FORTHCOMING MOTIONS TO  
COMPEL DISCOVERY AND  
[PROPOSED] ORDER**

**STIPULATION**

The Parties hereby stipulate to the following provisions regarding briefing on Plaintiffs' and Defendants' forthcoming Motions to Compel Discovery Responses.

1. On February 27, 2020, Plaintiffs filed a Motion to Compel Discovery Responses ("Plaintiffs' Motion to Compel"), Dkt. 112, asking this Court to compel Defendants to supplement their discovery responses in these proceedings.

2. On March 26, 2020, Defendants filed a Motion to Compel discovery responses ("Defendants' Motion to Compel"), Dkt. 124. Both Motions to Compel were fully briefed.

3. On May 15, 2020, Magistrate Peterson recommended all deadlines on both Motions to Compel be stricken from the Court's calendar, pending the outcome of the Ninth's Circuit's decision on Defendants' appeal of this Court's denial of Defendants' Motion to Compel Arbitration, Dkt. 151.

4. On June 30, 2020, the Court adopted Magistrate Peterson's recommendation, Dkt. 153.

5. At the Court's May 28, 2021 status conference, the Court struck the Motions to Compel and directed the Parties to meet and confer prior to renewing any discovery disputes before the Court.

6. On June 11, 2021, the Parties met and conferred regarding, among other topics, the issues raised in both parties' Motions to Compel and the schedule for discovery. Defendants agreed during that meet and confer to provide further responses to Plaintiffs' First Set of Requests for Production Nos. 48-49, 52, 84, and 94. Defendants also agreed to supplement their responses to Plaintiffs' First Set of Interrogatories Nos. 9 and 10. Plaintiffs agreed during the meet and confer that their supplemental responses to Defendants Second Set of Interrogatories will identify

1 each user of the Alexa devices in question (Interrogatory 3), all persons who participated in setting  
 2 up and activating the Alex devices (Interrogatory No. 4), and information as to all Smart Devices,  
 3 defined to include all voice activated devices regardless of whether they require a “wake word”  
 4 (Interrogatories 12, 13, 14).

5  
 6 7. The parties were unable to reach a resolution on the remaining outstanding  
 7 discovery issues raised in the Motions to Compel.

8 8. In order to preserve judicial economy, the Parties have stipulated to refile the  
 9 Motions to Compel, as they were fully briefed at the May 28 2021 status conference, adding a  
 10 short supplemental statement, not to exceed five (5) pages, updating their positions in light of the  
 11 meet and confer and otherwise adopting their earlier positions. These papers shall be filed by June  
 12 21, 2021.

13  
 14 9. Neither party waives any right to bring any issues relating to the other’s compliance  
 15 with discovery to the attention of the Court at a later date.

16  
 17 Dated: June 14, 2021

Respectfully submitted,

18 /s/ Ashley Keller

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*Attorneys for Defendants*

**ORDER**

Based on the foregoing, IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Michelle L. Peterson  
UNITED STATE MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that, on June 14, 2020, I caused a true and correct copy of the foregoing to be filed in this Court's CM/ECF system, which sent notification of such filing to counsel of record.

/s/ Ashley Keller  
Ashley C. Keller (pro hac vice)